

HB1085\_L.004

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Insurance.

HB20-1085 be amended as follows:

1 Amend printed bill, page 7, line 9, strike "**repeal (5)**" and substitute  
2 "**amend (1)(a) introductory portion, (1)(a)(I), (1)(a)(IV), (1)(b), and (4)**  
3 **introductory portion; amend as it exists until July 1, 2021, (2); repeal**  
4 **(5); and add (6)**".

5 Page 7, strike lines 11 through 27 and substitute

6 "**12-30-109. Prescriptions - limitations - definition - rules.**

7 (1) (a) ~~An opioid~~ A prescriber shall not prescribe more than a seven-day  
8 supply of an opioid to a patient who has not had an opioid prescription in  
9 the last twelve months by that ~~opioid~~ prescriber and may exercise  
10 discretion to include a second fill for a seven-day supply. The limits on  
11 initial prescribing do not apply if, in the judgment of the ~~opioid~~  
12 prescriber, the patient:

13 (I) Has chronic pain that typically lasts longer than ninety days or  
14 past the time of normal healing, as determined by the ~~opioid~~ prescriber,  
15 or following transfer of care from another ~~opioid~~ prescriber who practices  
16 the same profession and who prescribed an opioid to the patient;

17 (IV) Is undergoing palliative care or hospice care focused on  
18 providing the patient with relief from symptoms, pain, and stress resulting  
19 from a serious illness in order to improve quality of life; except that this  
20 subsection (1)(a)(IV) applies only if the ~~opioid~~ prescriber is a physician,  
21 a physician assistant, or an advanced practice nurse.

22 (b) Prior to prescribing the second fill of any opioid OR  
23 BENZODIAZEPINE prescription pursuant to this section, ~~an opioid~~ A  
24 prescriber must comply with the requirements of section 12-280-404 (4).  
25 Failure to comply with section 12-280-404 (4) constitutes unprofessional  
26 conduct or grounds for discipline, as applicable, under section  
27 12-220-130, 12-240-121, 12-255-120, 12-275-120, 12-290-108, or  
28 12-315-112, as applicable to the particular ~~opioid~~ prescriber, only if the  
29 ~~opioid~~ prescriber repeatedly fails to comply.

30 (2) ~~An opioid~~ A prescriber licensed pursuant to article 220, 240,  
31 255, 275, 290, or 315 of this title 12 may prescribe opioids AND  
32 BENZODIAZEPINES electronically.

33 (4) As used in this section, "~~opioid prescriber~~" "**PRESCRIBER**"  
34 means:

35 (5) ~~This section is repealed, effective September 1, 2021.~~

36 (6) THE EXECUTIVE DIRECTOR SHALL, BY RULE, LIMIT THE SUPPLY  
37 OF A BENZODIAZEPINE THAT A PRESCRIBER MAY PRESCRIBE TO A PATIENT  
38 WHO HAS NOT HAD A BENZODIAZEPINE PRESCRIPTION IN THE LAST TWELVE

1 MONTHS BY THAT PRESCRIBER.

2 **SECTION 5.** In Colorado Revised Statutes, 12-30-109, **amend**  
3 **as it exists from July 1, 2021, until July 1, 2023, (2) as follows:**

4 **12-30-109. Prescriptions - limitations - definition - rules.**  
5 (2) ~~An opioid~~ A prescriber licensed pursuant to article 220 or 315 of this  
6 title 12 may prescribe opioids AND BENZODIAZEPINES electronically.

7 **SECTION 6.** In Colorado Revised Statutes, 12-30-109, **amend**  
8 **as it will become effective July 1, 2023, (2) as follows:**

9 **12-30-109. Prescriptions - limitations - definition - rules.**  
10 (2) ~~An opioid~~ A prescriber licensed pursuant to article 315 of this title 12  
11 may prescribe opioids AND BENZODIAZEPINES electronically.

12 **SECTION 7.** In Colorado Revised Statutes, 12-220-111, **amend**  
13 **(2) as follows:**

14 **12-220-111. Dentists may prescribe drugs - surgical operations**  
15 **- anesthesia - limits on prescriptions. (2) (a)** A dentist is subject to the  
16 limitations on ~~prescribing opioids~~ PRESCRIPTIONS specified in section  
17 12-30-109.

18 ~~(b) This subsection (2) is repealed, effective September 1, 2021.~~

19 **SECTION 8.** In Colorado Revised Statutes, **amend** 12-240-123  
20 **as follows:**

21 **12-240-123. Prescriptions - limitations. (1)** A physician or  
22 physician assistant is subject to the limitations on ~~prescribing opioids~~  
23 PRESCRIPTIONS specified in section 12-30-109.

24 ~~(2) This section is repealed, effective September 1, 2021.~~

25 **SECTION 9.** In Colorado Revised Statutes, 12-255-112, **amend**  
26 **(6) as follows:**

27 **12-255-112. Prescriptive authority - advanced practice nurses**  
28 **- limits on prescriptions - rules - financial benefit for prescribing**  
29 **prohibited. (6) (a)** An advanced practice nurse with prescriptive  
30 authority pursuant to this section is subject to the limitations on  
31 ~~prescribing opioids~~ PRESCRIPTIONS specified in section 12-30-109.

32 ~~(b) This subsection (6) is repealed, effective September 1, 2021."~~

33 Page 8, strike lines 1 through 14 and substitute:

34 **"SECTION 10.** In Colorado Revised Statutes, 12-275-113,  
35 **amend (5) as follows:**

36 **12-275-113. Use of prescription and nonprescription drugs -**  
37 **limits on prescriptions. (5) (a)** An optometrist is subject to the  
38 limitations on ~~prescribing opioids~~ PRESCRIPTIONS specified in section  
39 12-30-109.

40 ~~(b) This subsection (5) is repealed, effective September 1, 2021.~~

41 **SECTION 11.** In Colorado Revised Statutes, 12-290-111, **amend**  
42 **(3) as follows:**

43 **12-290-111. Prescriptions - requirement to advise patients -**

1 **limits on prescriptions.** (3) (a) A podiatrist is subject to the limitations  
2 on ~~prescribing opioids~~ PRESCRIPTIONS specified in section 12-30-109.  
3 ~~(b) This subsection (3) is repealed, effective September 1, 2021.~~  
4 **SECTION 12.** In Colorado Revised Statutes, **amend** 12-315-126  
5 as follows:  
6 **12-315-126. Prescriptions - limitations.** (1) A veterinarian is  
7 subject to the limitations on ~~prescribing opioids~~ PRESCRIPTIONS specified  
8 in section 12-30-109.  
9 ~~(2) This section is repealed, effective September 1, 2021."~~

10 Renumber succeeding sections accordingly.

11 Page 11, line 26, after "A" insert "SECOND FILL FOR A".

12 Page 12, line 2, strike "OR PSYCHOLOGICAL".

13 Page 12, strike line 7 and substitute "prescribing the second fill for an  
14 opioid OR A BENZODIAZEPINE and the".

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